

REMARKS/ARGUMENTS

Allowable Subject Matter

Applicant appreciates allowance of claim 19 by the Examiner, as well as his indication that claims 4, 5, 11, 12 and 17 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has added new claims 20 and 21, which include the subject matter of independent claim 1 and dependent claim 4, and independent claim 6 and dependent claim 11, respectively.

In the Specification:

Per the Examiner's request, a substitute specification is enclosed herewith. A marked-up copy of the original specification showing changes made in the previously-filed preliminary amendment is also enclosed. No new material has been added to the substitute specification.

Applicant has changed the term "elevational" appearing in the version of paragraph [0020] previously submitted by preliminary amendment. Paragraph [0020] now reads "Also shown on the perspective view ..." As such, the Examiner's objection is now moot and can be withdrawn.

In the Claims:

Claims 1-21 are now pending in the present application. Claims 1, 6, 10 and 15 have been amended. The amended language is fully supported by the original specification, such as may be found in the title, in the language "puller arm," in the

disclosure of original paragraph [0027], and in the drawing figures. New claims 20 and 21 have been added as described above.

Rejection of Claims 1-3, 6-10, 13-16 and 18 Under 35 U.S.C. § 102(b)

The Examiner rejected claims 1-3, 6-10, 13-16 and 18 under 35 U.S.C. § 102(b) as being anticipated by Jagt (US 5,181,440). As Applicant does not believe Jagt to teach the subject matter of amended claims 1-3, 6-10, 13-16 and 18, the rejection is respectfully traversed.

Jagt teaches a tool (35) for measuring the travel of a vehicle brake rod. To that end, it consists of a "pusher" portion (46) adapted to abut the face wall (22) of a brake actuator while simultaneously straddling a brake rod (23). A handle (36) is pivotally connected to the pusher portion. A member (60) is also pivotally connected to the handle and extends outward therefrom. As explained in the disclosure, and as can be best observed in Figures 8-9, the tool operates by *pushing* a slack adjustment arm (25) away from the brake actuator so that the amount of brake rod travel can be measured. The tool acts as a lever that separates the two components by its expansion.

In contrast, the engine cover puller of the present invention operates by applying a pulling force to an engine cover component, such as a valve cover, in order to separate it from another engine component. As such, the puller arm of the present invention must be designed to engage with the cover component in a manner that allows the engaged relationship to be maintained through application of the pulling force and separation of the components. This is not possible with the design of the tool of Jagt, as the member (60) and its free end (62) are not designed to engage another component in a manner that would allow for application of a pulling force thereto. Nor is

it ever suggested that the tool of Jagt can impart a pulling force to the slack adjustment arm or another component. Certainly, the tool of Jagt would not be capable of applying a pulling force to an engine cover component.

Therefore, there are significant differences between the tool of Jagt and the engine cover puller of the present invention. Consequently, Applicant respectfully submits that Jagt cannot support a rejection of claims 1-3, 6-10, 13-16 and 18 under 35 U.S.C. § 102(b).

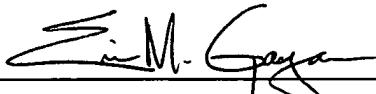
CONCLUSION

Applicant has amended claims 1, 6, 10 and 15 and has added new claims 20-21. Applicant has also distinguished the subject matter of the present invention over the teachings of the reference cited as prior art by the Examiner.

Therefore, Applicant respectfully submits that the present application is now in condition for allowance, and such action is earnestly requested. Telephone inquiry to the undersigned in order to clarify or otherwise expedite prosecution of the present application is respectfully encouraged.

Respectfully submitted,

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